

# NOTICE OF FUNDING AVAILABILITY

Community Development Block Grant Program  
Economic Development Allocation

OVER-THE-COUNTER COMPONENT  
1999-2000



STATE OF CALIFORNIA  
Department of Housing and Community Development  
Division of Community Affairs  
Community Development Block Grant Program (CDBG)  
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Community Development Block Grant Program

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Janet Myles

# **NOTICE OF FUNDING AVAILABILITY**

## **STATE OF CALIFORNIA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

### **ECONOMIC DEVELOPMENT ALLOCATION OVER-THE-COUNTER COMPONENT 1999-2000**

#### **TABLE OF CONTENTS**

	Page Number
1. Funding Notice	1
2. Uses of Funds	2
3. Application Dates and Details	2
4. Funding Limits	4
5. Eligible Applicants	4
6. Eligible Activities	6
7. Program Requirements	7
8. Application Evaluation Criteria and Point Scoring	8
9. General Administration Costs	9
10. Public Hearings	10
11. Statement of Assurances	10
12. Public Records Act	10
 APPENDICES	 Page Number
A. Eligible Jurisdictions and CDBG Economic Development Staff Assignments	12
B. Public Hearings Requirement	19
APPLICATION PACKAGE REQUEST FORM	22

## 1. FUNDING NOTICE

The Department of Housing and Community Development (Department) announces the availability of approximately \$4,000,000 for the 1999-2000 funding cycle of the Over-The-Counter (OTC) Program Component of the State Community Development Block Grant (CDBG) Program's Economic Development Allocation. There is a separate funding notice for the Economic Development Allocation's California Community Economic Enterprise Fund Enterprise Fund) Component. Other funding notices are issued for the General/Native American Allocation and the Planning/Technical Assistance Allocation. Contact the Program secretary for information about other notices (see page 2 for address and telephone information).

### Authorizing Legislation and Regulations

The Program is authorized by the Housing and Community Development Act of 1974 (the "Act") as amended<sup>1</sup>, and Subpart I of the Federal Community Development Block Grant Regulations.<sup>2</sup> The requirements of the State Program are in the State CDBG Regulations, Title 25 of the California Code of Regulations, Section 7050, et seq.

This NOFA summarizes portions of the regulations that are likely to be of greatest interest or that require further explanation. In the interest of brevity, the NOFA does not cover many regulatory provisions that apply and may be important to a particular applicant or that are necessary for proper completion of the application. Potential applicants are urged to review the regulations and the application training manual, to attend the application preparation workshop and to contract Program staff with additional questions.

### Application Package

The Application Package, containing the application form and application training manual is a separate document. **IF YOU ARE INTERESTED IN APPLYING FOR FUNDS, YOU MUST REQUEST THE APPLICATION PACKAGE FROM THE CDBG PROGRAM.** The application package contains a pre-application form. To ensure prospective projects are structured to meet CDBG requirements, applicants are encouraged to use the pre application. To obtain an application package, please fax/mail the form attached at the end of this NOFA or call your Economic Development Specialist. Use of the form is encouraged to assure accuracy of mailing information.

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<sup>1</sup> Title I of the Housing and Community Development Act of 1974 as amended. 42 U.S.C. 5301 et seq., Federal Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35).

<sup>2</sup> 24 CFR, Part 570, Subpart I.

## 2. USES OF FUNDS

Under the OTC Program, the Department provides grant funds to eligible cities and counties for the following purposes:

- to make loans to employers for an identified CDBG-eligible activity which will result in the creation or retention of permanent jobs; or
- to construct infrastructure improvements which are necessary to accommodate the creation, expansion or retention of a business that will create or retain jobs.

## 3. APPLICATION DATES AND DETAILS

### a. Key dates:

NOFA release:	July 15, 1999
Application release:	August 2, 1999
Applications accepted at HCD:	Continuous Filing

- b. Number of copies: For business assistance application: original and one (1) copy, with all required attachments.  
For infrastructure applications, one original and two (2) copies, with all required attachments.

- c. Mail to: State Community Development Block Grant Program  
California Dept. of Housing and Community Development  
P.O. Box 952054, MS 390-2  
Sacramento, CA 94252-2054

Deliver 1800 Third Street, Room 390  
to: Sacramento, CA 95814

Telephone: (916) 445-6000 (Program Secretary)

Fax: (916) 323-6016

### d. Application workshops

The Department will present a one-day information workshop at Sacramento Headquarters on Friday August 6, 1999. The workshop will be held at 1800 3<sup>rd</sup> Street, Room 185. The workshop will include a brief overview of the State Program, a discussion of the application and evaluation criteria, and general information regarding the major Federal and State overlay requirements which may affect your project. The Program provides more in-depth training to successful applicants through annual Grant Management training workshops. The application workshop will focus on the requirements for application preparation and submission. Eligible applicants who wish to attend the workshop should review this NOFA and the Application Package and come prepared with questions and ideas for preparing an application.

e. Application review process

Applications are accepted on a continuous basis until all funds are committed. Upon receipt of an application, the Department will review the application under a three-stage process. The application will first be reviewed for completeness. If the application is incomplete, the application will be returned to the applicant within 30 days of receipt of the application with a written explanation of any deficiencies which must be corrected prior to resubmission.

If the application is determined to be complete, the application will then be evaluated using the application rating factors to determine if the application meets minimum threshold criteria. If the application fails to meet the minimum threshold criteria, the application will be returned to the applicant with a written explanation of any deficiencies which must be corrected prior to resubmission.

If the application is complete and the minimum threshold criteria are met, the application will be financially underwritten using HUD underwriting guidelines. The application will be further reviewed to ensure at least a minimum level of public benefit and compliance with other factors specified in state regulations. Applications that are found to be feasible and meet all program requirements will be summarized in a staff report which is presented to the Economic Development Advisory Committee at a public meeting held approximately forty-five (45) days from the receipt of a complete application.

The staff report summarizes the project and recommends approval or denial of the application. The Advisory Committee reviews the report, and either accepts, rejects or modifies the staff recommendation. The Advisory Committee then votes on a funding recommendation to be provided to the Director of the Department who has final approval authority. The Director's funding decision is made approximately sixty (60) days from the receipt of a complete application.

f. Awards processing

All funded applications are processed through a Standard Agreement (Agreement). The Agreement contains information about the terms and special conditions of the award. Special conditions must be met within ninety (90) days of the State's execution of the Agreement (stamped approval date). If the conditions are not met, the Department will terminate the Agreement. Applicants should not incur any grant-related costs prior to the stamped approval date. Information about processing times and authorization requirements will be provided at the time the Agreement is sent to the grantee.

g. Whom to contact for further information

For further information, please call your CDBG Economic Development Specialist (see Appendix A) or the CDBG Program Secretary at (916) 445-6000; fax number (916) 323-6016.

## 4. FUNDING LIMITS

### Maximum award limits

- a combined total of \$800,000 per year under both the Economic Development and General/Native American components<sup>1</sup>
- \$500,000 per jurisdiction per program year for the OTC component (Applicants may jointly apply for OTC funds, requesting up to \$500,000<sup>2</sup> for each co-applicant jurisdiction)
- \$35,000 per year for the Economic Development and \$35,000 per year for the General/Native American Planning and Technical Assistance components
- After December 31 of each program year a jurisdiction may request a funding cap waiver of the maximum OTC award limit.

A jurisdiction may request \$1 million in a single application for a single project under the following conditions: 1) the nature and scope of the project are such that the expenditure of the \$500,000 single-year limit would not be sufficient to meet a national objective; and 2) the Program would award the \$1 million over a two-year period. Applicants who apply for more than \$500,000 must demonstrate why their program or portions of it cannot be completed in segments of \$500,000 or less. **Cost savings alone is not acceptable basis for a two-year funding award.**

## 5. ELIGIBLE APPLICANTS

In general, incorporated cities under 50,000 population and counties with an unincorporated area population of under 200,000 persons are eligible to participate in the State CDBG Program. The following exceptions apply:

- a. If a city under 50,000 population has entered into a three-year urban county Cooperation Agreement with the U.S. Department of Housing and Urban Development (HUD), that city cannot participate in the State CDBG Program until the expiration of the Agreement.
- b. If a city under 50,000 population has been declared the central city of a Standard Metropolitan Statistical Area, it cannot participate because it is entitled to receive CDBG funds directly from HUD.

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1. Not counted toward this total are awards for Planning and Technical Assistance Colonias, and the Native American Allocations.

2. A jurisdiction may request \$1 million in a single application for a single project under the following conditions: 1) the nature and scope of the project are such that the expenditure of the \$500,000 single-year limit would not be sufficient to meet a national objective; and 2) the Program would award the \$1 million over a two-year period. Applicants who apply for more than \$500,000 must demonstrate why their program or portions of it cannot be completed in segments of \$500,000 or less **Cost savings alone is not acceptable basis for a two-year funding award.**

**In addition, all applicants must meet the following criteria to be considered for funding:**

a. No unresolved audit findings or performance problems

The applicant shall have resolved any audit findings or performance problems for prior State CDBG grants awarded under this program. The Department may waive this requirement when:

- such problems or findings result in no obligation to return funds to the grantor;
- arrangements satisfactory to the grantor have been made for repayment or performance; or
- a formal action to resolve the matter has been taken.

Some jurisdictions may be held out from receiving funds if there are unresolved findings from monitoring of prior CDBG grants. If you are unsure of your status, contact your Economic Development Specialist for guidance.

b. Housing Element compliance

Applicants are required to submit their Housing Element self-certification with their application. The Department will not reject an application based on either the content of the housing element or the Department's findings on the element, except as may otherwise be provided in Section 50830 of the Health and Safety Code.

The housing element requirement for award of grant funds is found in Section 7056(b)(1) of the Program's Regulations. Housing element compliance requirements are found in the Government Code, Title 7, Division 1, Chapter 3, Article 10.6, beginning with Section 65580.

c. Growth Control

Pursuant to Health and Safety Code Section 50830, no city or county is eligible to receive CDBG funds if the city or county has adopted a general plan, ordinance, or other measure which directly limits, by number, the building permits that may be issued for residential construction, or the building lots which may be developed for residential purposes. However, this provision shall not be applicable to:



- 1) an ordinance adopted by a city or county which does any of the following:
  - a) imposes a moratorium to protect the public health and safety on residential construction for a specified period of time if, under the terms of the ordinance, the moratorium will cease when the public health and safety is no longer jeopardized by the construction;
  - b) creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or
  - c) was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or
- 2) city or county which has a housing element that the Department has found to be adequate pursuant to subdivision (c) of Section 65585 or Section 65586 of the Government Code at the time the city or county applies for funds under the State CDBG Program, unless a final court order has found that such housing element is not in compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.

## **6. ELIGIBLE ACTIVITIES**

Local governments apply to the Department on behalf of an identified business or developer. The Department does not make direct loans or grants to the business or developer. The CDBG grant award is made to the City or County. CDBG funds are considered gap financing and are designed to leverage the maximum feasible amount of private and or other public financing. CDBG is typically not the sole source of financing.

Typical eligible activities are:

- a. construction loans (business/developer);
- b. equipment purchase loans (business/developer);
- c. working capital loans (business/developer);
- d. land acquisition loans (business/developer);
- e. loans for privately owned on-site improvements (business/developer);
- f. loans for business start-ups (business);
- g. loan guaranties (business/developer);
- h. grants for publicly owned infrastructure/off-site improvements (city/county);
- i. grants or loans for small business incubators (city/county); and

Other funding activities may also be eligible. Contact your Economic Development Specialist prior to submitting an application for an activity not listed above.

**Note:** Not all costs are eligible for CDBG purposes. The timing of expenditure of project activity funds can also affect the eligibility of costs for reimbursement. In general, only costs incurred after execution of the Standard Agreement can be paid for with CDBG funds. In addition, only project costs incurred after the completion of the National Environmental Policies Act environmental review are eligible for reimbursement. Applicants are advised to contact their Economic Development Specialist in advance for confirmation of the allowable uses of funds.

## **7. PROGRAM REQUIREMENTS**

Funded activities must meet State and Federal CDBG program requirements, including meeting a national objective, ensuring sufficient public benefit, and meeting HUD underwriting guidelines.

### **a. National Objective Requirement**

Each activity must meet at least one of three national objectives:

- 1) Benefit to the Targeted Income Group (TIG). At least 51 percent of the jobs created or retained by an activity must benefit the Targeted Income Group (TIG). TIG includes “lowest targeted income group (LTIG)” and is based on a county’s median income limit adjusted for family size as provided annually by the Department of Housing and Urban Development. TIC is 80 percent and below of the adjusted county median family income. LTIG is 50 percent and below of the adjusted county median family income.
- 2) Aid in the prevention or elimination of slums or blight.
- 3) Meet a community development need having a particular urgency.

**Note:** Applicants are advised to contact their Economic Development Specialist in advance of submitting an application that meets a national objective other than benefit to TIG.

### **b. Public Benefit**

All projects must achieve a minimum level of public benefit from the expenditure of CDBG funds. Minimum standards for public benefit are as follows:

- 1) The project must lead to the creation or retention of at least one full-time equivalent job per \$35,000 of CDBG funds used; or

The project provide goods and services to residents of an area, such that the number of TIG persons residing in the areas served by the assisted business amounts to at least one TIG persons per \$350 of CDBG funds used.

**Note:** New jobs must be generated within 24 months of execution of the grant agreement by the Department.

c. HUD and State Underwriting Guidelines and Project Review Criteria

Prior to award, the Department will underwrite to ensure projects are financially viable and will make the most effective use of the CDBG funds. The objectives of the underwriting guidelines are to ensure that:

- 1) Project costs are reasonable;
- 2) All sources of project financing are committed;
- 3) CDBG funds are not substituted for other available funds;
- 4) The project is financially feasible;
- 5) The return on the owner's equity is not unreasonable; and
- 6) CDBG funds are disbursed on a pro rata basis with financing provided to the project.

The State review criteria evaluate the project under additional factors, such as intrastate relocation.

**8. APPLICATION EVALUATION CRITERIA AND POINT SCORING**

Each application will undergo a three-stage review process. If the application is determined to be deficient during any stage of the review process, the applicant can correct the identified deficiencies and resubmit the application to begin the review process again.

Stage 1 - Completeness

The first stage of review determines if the application contains sufficient information to allow the Department to determine the project's feasibility and eligibility under CDBG State and Federal regulations.

Stage 2 - Program Threshold Criteria

The second stage of the review process utilizes objective data to evaluate whether the application sufficiently promotes CDBG program objectives. This review rates the application according to five factors by allocating points to each rating factor. Points are assigned according to criteria in the State CDBG Regulations, Sections 7062.1 (c) (7). The application must attain at least 50 points of the 80 total points to be eligible to pass on to the third review stage.

<b>Factor</b>	<b>Maximum # of Points</b>
Percent of county-wide unemployment relative to the statewide average	25
Ratio of CDBG funds per unit of public benefit - maximum of \$35,000 per job created or retained or \$350 per TIG person served.	15
Ratio of private funds to CDBG funds	15
Quality of applicant's past performance of CDBG ED grants	15
Percent of funds allocated to applicant's general administrative costs	10
<b>TOTAL POINTS</b>	<b>80</b>

### Stage 3 - Feasibility

At this evaluation stage, the Department will review the project for compliance with national objectives, public benefit, and HUD underwriting guidelines (See Section 7. Program Requirements). Additionally, the project will be reviewed using factors specified in State CDBG regulations, including the following:

1. Extent of applicant's need for CDBG funds given the local economic development need;
2. effect of local and other regulatory requirements on the proposed project;
3. status of the ownership or control of any real estate needed for the proposed activities;
4. extent to which the proposed activities involve intrastate relocation of jobs or businesses, and
5. the extent of recruitment, training, and promotional opportunities for targeted income groups.

## **9. GENERAL ADMINISTRATION COSTS**

Applicant may request up to seven and one-half percent (7.5%) of the total grant amount for administrative costs, provided that such amounts are justified for the type and complexity of the program, and that the costs are documented.

## **10. PUBLIC HEARINGS**

CDBG Regulations require that two public hearings be held before the jurisdiction submits an application to the Department. The first hearing must be held during the program design stage. The second must be held before the application is sent to HCD.

See Appendix B for more information about the public hearings requirement.

## **11. STATEMENT OF ASSURANCES**

### **a. Applicable laws and regulations/applicant certification**

Federal and State statutes, regulations, and Executive Orders apply to the CDBG program. Some pertain to all local CDBG activities such as audits and procurement standards. Other are specific to certain activities, such as relocation law and labor standards.

By State regulation, 25 California Code of Regulations Section 7070 (c)(3), applicants must submit a certification signed by the Chief Executive Officer. This certification must provide assurances that the jurisdiction and all sub-recipients will comply with all State and federal requirements.

The Statement of Assurances must be signed by the jurisdiction's Chief Executive Officer, regardless of any signatory designation in the governing body's resolution authorizing submission of the application.

### **b. Responsibility for compliance**

Grantees are responsible for complying with State, Federal, and applicable local laws and regulations that apply to the expenditure of State CDBG funds.

## **12. PUBLIC RECORDS ACT**

Applications and grant agreements are public information and are available for review by the public. Applicants are advised that information submitted to the State may have to be made available to the public under the State Public Records Act unless an exemption under this Act applies to the information submitted and the applicant establishes a valid claim of confidentiality under such exemption.

## **APPENDICES**

- A. Eligible Jurisdictions and CDBG Economic Development Staff Assignments
- B. Public Hearings Requirement

## APPENDIX A

### ELIGIBLE JURISDICTIONS AND CURRENT ECONOMIC DEVELOPMENT STAFF ASSIGNMENTS

#### Economic Development Staff

John Turner, Program Manager (916) 445-6000  
Teresa Errington (916) 445-6000

#### Program Staff

James Bishop (916) 327-3582  
Jack Mahan (916) 323-9714  
Janet Myles (916) 322-0877

#### Eligible Jurisdictions and Staff Assignments

ALPINE COUNTY	Janet Myles
AMADOR COUNTY	Janet Myles
Amador City	
Ione	
Jackson	
Plymouth	
Sutter Creek	
BUTTE COUNTY	John Turner
Biggs	
Gridley	
Oroville	
Paradise	

\* The asterisk indicates counties that participate in the HUD CDBG Entitlement Program, and ~~not~~ are eligible to compete for funding under the State CDBG Small Cities Program. Only the cities listed under the asterisked counties are eligible to compete for State CDBG funding.

**Eligible Jurisdictions and Staff Assignments (continued)**

CALAVERAS COUNTY Angels Camp	Janet Myles
COLUSA COUNTY Colusa Williams	John Turner
*CONTRA COSTA COUNTY Pittsburg	Jack Mahan
DEL NORTE COUNTY Crescent City	Jack Mahan
EL DORADO COUNTY Placerville South Lake Tahoe	Janet Myles
*FRESNO Fowler Huron Mendota San Joaquin	James Bishop
GLENN COUNTY Orland Willows	John Turner
HUMBOLDT COUNTY Arcata Blue Lake Eureka Ferndale Fortuna Rio Dell Trinidad	Jack Mahan

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**Eligible Jurisdictions and Staff Assignments (continued)**

IMPERIAL COUNTY	James Bishop
Brawley	
Calexico	
Calipatria	
El Centro	
Holtville	
Imperial	
Westmorland	
INYO COUNTY	James Bishop
Bishop	
*KERN COUNTY	James Bishop
Maricopa	
Ridgecrest	
Taft	
Wasco	
KINGS COUNTY	James Bishop
Avenal	
Corcoran	
Hanford	
Lemoore	
LAKE COUNTY	Jack Mahan
Clearlake	
Lakeport	
LASSEN COUNTY	John Turner
Susanville	
*LOS ANGELES COUNTY	James Bishop
Avalon	
Bradbury	
Hermosa Beach	
Hidden Hills	
Industry	
Palos Verde Estates	
Vernon	

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**Eligible Jurisdictions and Staff Assignments (continued)**

MADERA COUNTY	James Bishop
Chowchilla	
MARIPOSA COUNTY	James Bishop
MENDOCINO COUNTY	Jack Mahan
Fort Bragg	
Point Arena	
Ukiah	
Willits	
MERCED COUNTY	James Bishop
Atwater	
Dos Palos	
Gustine	
Livingston	
Los Banos	
MODOC COUNTY	John Turner
Alturas	
MONO COUNTY	James Bishop
Mammoth Lakes	
MONTEREY COUNTY	James Bishop
Carmel	
Del Rey Oaks	
Gonzales	
Greenfield	
King City	
Marina	
Pacific Grove	
Sand City	
Soledad	

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**Eligible Jurisdictions and Staff Assignments (continued)**

NAPA COUNTY	Jack Mahan
American Canyon	
Calistoga	
St. Helena	
Yountville	
NEVADA COUNTY	Janet Myles
Grass Valley	
Nevada City	
Truckee	
PLACER COUNTY	Janet Myles
Auburn	
Colfax	
Lincoln	
Loomis	
Rocklin	
PLUMAS COUNTY	John Turner
Portola	
Quincy	
*RIVERSIDE COUNTY	James Bishop
Canyon Lake	
Rancho Mirage	
Indian Wells	
SAN BENITO COUNTY	James Bishop
Hollister	
San Juan Bautista	
*SAN LUIS OBISPO COUNTY	James Bishop
Arroyo Grande	
Morro Bay	
*SAN MATEO COUNTY	Jack Mahan
Atherton	

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**Eligible Jurisdictions and Staff Assignments (continued)**

SANTA BARBARA COUNTY	James Bishop
Buellton	
Carpinteria	
Guadalupe	
Solvang	
SANTA CRUZ COUNTY	James Bishop
Capitola	
Scotts Valley	
SHASTA COUNTY	John Turner
Anderson	
Shasta Lake	
SIERRA COUNTY	John Turner
Loyalton	
SISKIYOU COUNTY	Jack Mahan
Dorris	
Dunsmuir	
Etna	
Fort Jones	
Montague	
Mount Shasta	
Tulelake	
Weed	
Yreka	
SOLANO COUNTY	Jack Mahan
Benicia	
Dixon	
Rio Vista	
Suisun City	

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**Eligible Jurisdictions and Staff Assignments (continued)**

STANISLAUS COUNTY	Janet Myles
Ceres	
Hughson	
Newman	
Oakdale	
Patterson	
Riverbank	
Waterford	
SUTTER COUNTY	Janet Myles
Live Oak	
TEHAMA COUNTY	John Turner
Corning	
Red Bluff	
Tehama	
TRINITY COUNTY	John Turner
TULARE COUNTY	James Bishop
Dinuba	
Exeter	
Farmersville	
Lindsay	
Woodlake	
TUOLUMNE COUNTY	Janet Myles
Sonora	
YOLO COUNTY	Jack Mahan
West Sacramento	
Winters	
YUBA COUNTY	Janet Myles
Marysville	
Wheatland	

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**PUBLIC HEARINGS REQUIREMENT**

The Public Hearings requirement comes under the general category of Citizen Participation, found in the Program Regulations Section 7080. The citizen participation requirements fall into four components: 1) holding public hearings, 2) making information available to the public, 3) inviting and responding to written comments, and 4) a written citizen participation plan.

For purposes of submitting an application for funding, applicants should be aware of the following. Additional information on other aspects of Citizen Participation will be made available to successful applicants through the Grants Management Manual training workshops, which will be scheduled during September 1998.

***HOLDING PUBLIC HEARINGS***

1. Project design stage. At least one public hearing must be held during the time when the proposed project is being designed for application to the Department. Residents of the area where CDBG funds are proposed to be used should be encouraged to participate. This first hearing should include:
  - a. an explanation of the State CDBG Program
  - b. an opportunity for attendees to ask questions and suggest possible uses for the funds
  - c. information about the amount of funding available, the range of possible activities that may be undertaken with CDBG funds, and the opportunities for citizen involvement as the program progresses
  - d. discussion of the three national objectives--benefit to Targeted Income Group persons, elimination of slums and blight, and meeting urgent needs
  - e. information about plans to minimize displacement that may occur as a result of grant funding
  - f. information that any assessments resulting from a CDBG-funded project will not have to be paid for by members of the lowest Targeted Income Group and the applicant's determination of whether Targeted Income Group households who benefit from the project will have to pay for any assessments
  - g. an invitation for written comments, with instructions on where to submit such comments
  - h. provision of technical assistance to groups representing TIG persons that request

such assistance in developing proposals. The applicant may determine the level and type of such assistance.

2. Prior to application submittal

After the application has been prepared, and before it is submitted to the Department, the jurisdiction must hold a second hearing. At this time, the same information outlined above should be covered. In addition, the jurisdiction should:

- a. fully describe the proposed program
- b. provide information about the amount of funding that is being requested
- c. describe each proposed activity and where it will be implemented
- d. provide information on the estimated time scheduled to accomplish the activity
- e. provide opportunity for attendees to comment on the program, subject to the applicant's normal rules governing public hearings.

3. Notice and record of the hearings.

The hearings should be noticed as widely as possible and held at a time and place convenient to the public, with accommodations for persons with handicaps. Hearings must be held before the applicant's governing body. The public notice should state:

- a. the amount of funds available (1st hearing) or the amount of funds being requested in the application (2nd hearing)
- b. the eligible activities (1st hearing) or the activity that is being proposed (2nd hearing)
- c. the time and place of the meeting
- d. the availability of a public information file
- e. an invitation to submit written comments

If at least 25% of the total population, or 25% of the target area residents, or 25% of the beneficiaries of the program are non-English speaking, the notice must be in the appropriate language(s) and provision should be made for interpreters at the meeting. The meeting can be conducted by any designated employee or agent of the city or county who is knowledgeable about the program.

The governing body has the sole discretion of deciding on the contents of the application.

However, any allegations made by any resident of the community that the procedural or legal requirements of the program are being violated should be thoroughly investigated. Any written complaints and grievances must receive a written response within 15 days where practicable.

Applicants should keep a hearings record, which contains the notices, the list of attendees, and minutes of the hearings to support the certification of compliance with this requirement.

### ***MAKING INFORMATION AVAILABLE TO THE PUBLIC***

In addition to holding the public hearings, applicants are required to make information available to the public for review at specified times:

1. Prior to each hearing, a copy of the State regulations, notices, minutes of any previous meetings, performance reports, invitation to submit written comments, written comments received, and the applicant's responses should be available for public review at the place announced in the notice. This information should be made available at least one week before the hearings.
2. Starting one day before the first public hearing and continuing until notice of application denial, a public information file must be available for public review during normal business hours. This file should include all the information listed above. As new notices, documents, and minutes are prepared, these should be added immediately to the public inspection file. The location of this file should be included in all notices and announced at all meetings.

### ***INVITING AND RESPONDING TO WRITTEN COMMENTS***

An invitation to submit written comments should be included in all public notices, the public information file, and at each hearing. The applicant is required to respond in writing to the concerned party and to submit all correspondence as an attachment to the application.



**1999-2000 OTC  
State CDBG Program  
APPLICATION PACKAGE REQUEST FORM**

State CDBG Program  
P.O. Box 952054  
Sacramento, CA 94252-2054

Please send a **1999-2000** CDBG OTC Application Package to:

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax number: \_\_\_\_\_

\*\*\*\*\*

To the Applicant:

Mail or fax this Request form to:

Teresa Errington  
State Community Development Block Grant Program  
California Department of Housing and Community Development  
P.O. Box 952054, MS 390-2  
Sacramento, CA 94252-2054

Fax number: (916) 323-6016

NOTES:      If you return this form and do not receive a mailing within two weeks, please call  
the CDBG Program Secretary at (916) 445-6000.